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# HEARINGS REGARDING TOMA BABIN

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*Boyer*

## HEARINGS

BEFORE THE

COMMITTEE ON UN-AMERICAN ACTIVITIES

HOUSE OF REPRESENTATIVES

EIGHTY-FIRST CONGRESS

FIRST SESSION

—  
MAY 27 AND JULY 6, 1949  
—

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COMMITTEE ON UN-AMERICAN ACTIVITIES

UNITED STATES HOUSE OF REPRESENTATIVES

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## HEARINGS REGARDING TOMA BABIN

FRIDAY, MAY 27, 1949

UNITED STATES HOUSE OF REPRESENTATIVES,  
COMMITTEE ON UN-AMERICAN ACTIVITIES,  
*Washington, D. C.*

### EXECUTIVE SESSION <sup>1</sup>

The Committee on Un-American Activities met pursuant to call at 11 a. m. in room 226, Old House Office Building, Hon. John S. Wood (chairman) presiding.

Committee members present: Representatives John S. Wood (chairman), Francis E. Walter, Burr P. Harrison, Morgan M. Moulder, Richard M. Nixon, and Francis Case.

Staff members present: Frank S. Tavenner, Jr., counsel; Louis J. Russell, senior investigator; Donald T. Appell, William A. Wheeler, and Courtney Owens, investigators; and A. S. Poore, editor.

Mr. WOOD. Let the committee come to order, and let the record disclose that Mr. Walter, Mr. Harrison, Mr. Moulder, Mr. Case, and the chairman are present.

(Thereupon, Mr. Toma Babin, accompanied by his counsel, Mr. Joseph Forer, entered the hearing room.)

Mr. WOOD. Mr. Babin, will you raise your right hand, please. You solemnly swear that the evidence you will give this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BABIN. Yes, sir.

Mr. WOOD. Are you accompanied by an attorney, Mr. Babin?

Mr. BABIN. Yes, sir.

Mr. WOOD. Will your attorney please identify himself for the record?

Mr. FORER. My name is Joseph Forer, F-o-r-e-r.

Mr. WOOD. Your address, please.

Mr. FORER. I am a member of the District of Columbia bar. My office is at 1105 K Street NW., Washington, D. C.

Mr. WOOD. Telephone?

Mr. FORER. Telephone National 4047.

### SWORN TESTIMONY OF TOMA BABIN

Mr. RUSSELL. Mr. Babin, will you state your full name and present address?

Mr. BABIN. Yes. My name is Toma Babin, 274 West Nineteenth Street, New York City.

Mr. RUSSELL. When and where were you born?

Mr. BABIN. I was born in Yugoslavia in 1901.

<sup>1</sup> Testimony taken in executive session and released during public hearing, July 6, 1949.

Mr. RUSSELL. You were born in Poljana, Yugoslavia?

Mr. BABIN. Poljana, yes.

Mr. FORER. Mr. Russell, would you mind stating for the record the rules of the committee as to the participation of counsel?

Mr. WOOD. The witness is permitted at all times to confer with counsel as fully as he desires. If any questions are asked the witness that he desires to confer with counsel about before answering, he may do so.

Mr. FORER. Counsel has no other rights of participation?

Mr. WOOD. No.

Let the record show Mr. Nixon is present also.

Mr. RUSSELL. When did you first enter the United States?

Mr. BABIN. I first entered the United States in 1925, in November, something like that.

Mr. RUSSELL. In what port did you enter?

Mr. BABIN. Port of New York.

Mr. RUSSELL. How did you enter?

Mr. BABIN. As a seaman.

Mr. RUSSELL. Did you enter by deserting the steamship *Pastores of Calamares*?

Mr. BABIN. Yes.

Mr. RUSSELL. After your arrival in the United States in November 1925, by whom were you employed?

Mr. BABIN. I was employed by the Hamburg-American Line, New York dock.

Mr. RUSSELL. Your entry in 1925 was illegal, was it not?

Mr. BABIN. Was illegal as a seaman.

Mr. RUSSELL. Have you remained continuously in the United States since your illegal entry in November 1925?

Mr. BABIN. I remained until 1937.

Mr. RUSSELL. Did you travel to Spain in 1937?

Mr. BABIN. 1937 and 1938.

Mr. RUSSELL. When you traveled to Spain, what sort of passport did you use?

Mr. BABIN. I used a Spanish passport.

Mr. RUSSELL. On what ship did you travel?

Mr. BABIN. Steamship *Georgik*.

Mr. RUSSELL. It was a British ship, was it not?

Mr. BABIN. A British ship, yes.

Mr. RUSSELL. When did you next enter the United States after your trip to Spain?

Mr. BABIN. I entered the United States as a seaman in 1939, in August, I believe, 1st of August 1939, on the steamship *Scottish Maiden*.

Mr. RUSSELL. When you were in Spain, were you a member of the Abraham Lincoln Brigade?

Mr. BABIN. I was.

Mr. RUSSELL. How did you enter the United States the second time in 1937?

Mr. BABIN. 1939.

Mr. RUSSELL. 1939?

Mr. BABIN. Yes. As a seaman.

Mr. RUSSELL. Did you enter as a deserter from a British tanker known as the *Scottish Maiden*?

Mr. BABIN. No, sir. During that time the master of the ship gave me a leave to visit my uncle in Hartford, Conn., and before the ship returned back war was declared. Then I remained there.

Mr. RUSSELL. Did you ever return to the ship the *Scottish Maiden*?

Mr. BABIN. No, because the *Scottish Maiden* did not come back.

Mr. RUSSELL. You remained in the United States illegally, then?

Mr. BABIN. Yes.

Mr. RUSSELL. Have you ever used the name Tom Lostika?

Mr. BABIN. No.

Mr. RUSSELL. Were you ever arrested by the Immigration Service?

Mr. BABIN. Never.

Mr. RUSSELL. Did you know Tom Lostika?

Mr. BABIN. I know him, yes.

Mr. RUSSELL. How did you know him?

Mr. BABIN. As my cousin I know him.

Mr. RUSSELL. Was he ever arrested and deported from the United States?

Mr. BABIN. He was deported from the United States. I don't know the year, but I know he was deported.

Mr. RUSSELL. Did you ever legalize your residence in the United States?

Mr. BABIN. I went to the Department of Justice in 1945, I believe, and filled out the applications and everything else.

Mr. RUSSELL. Did you ever make application for a permanent status immigration visa?

Mr. BABIN. Yes.

Mr. RUSSELL. Was your request granted?

Mr. BABIN. No reply was made.

Mr. RUSSELL. By whom are you employed at the present time?

Mr. BABIN. At the present time I work for the business organization which sends packages and all kinds of materials to Yugoslavia.

Mr. RUSSELL. What is the name of the organization, the Yugoslavian Relief organization?

Mr. BABIN. No. Translated it is the Volunteer Committee for Yugoslav Relief. It was formed after the war.

Mr. RUSSELL. You have been examined by the Immigration and Naturalization Service, have you not?

Mr. BABIN. I was examined by the Department of Justice in 1945, as I stated.

Mr. RUSSELL. Were you asked at that time if you were then or had ever been a member of the Communist Party of the United States?

Mr. BABIN. I wasn't asked.

Mr. RUSSELL. You were not asked that question?

Mr. BABIN. No.

Mr. RUSSELL. Are you now, or have you ever been, a member of the Communist Party of the United States or of Yugoslavia?

Mr. BABIN. I have never been.

Mr. RUSSELL. You have never been a member of the Communist Party?

Mr. BABIN. No.

Mr. RUSSELL. During your period of residence in the United States, have you ever contacted the Russian consulate in New York City?

Mr. BABIN. I never contacted nobody.

Mr. RUSSELL. Do you know Mikhail A. Ouraevsky?

Mr. BABIN. I don't know him.

Mr. RUSSELL. M-i-k-h-a-i-l A. O-u-r-a-e-v-s-k-y. You have never met him?

Mr. BABIN. Never met him and don't know the guy.

Mr. RUSSELL. You never met him any place?

Mr. BABIN. No place.

Mr. RUSSELL. In New York City?

Mr. BABIN. No; no place.

Mr. RUSSELL. Or any other place?

Mr. BABIN. No.

Mr. RUSSELL. Did you ever use the name "Johnson"?

Mr. BABIN. No.

Mr. RUSSELL. Never under any circumstances?

Mr. BABIN. Never; never. Always I used my own name.

Mr. RUSSELL. You never met Ouraevsky on Fortieth Street in New York City?

Mr. BABIN. No.

Mr. RUSSELL. You are positive of that?

Mr. BABIN. Positive.

Mr. RUSSELL. Do you know Mikhail Vavilov?

Mr. BABIN. No.

Mr. RUSSELL. Who was an employee of the Russian consulate in New York City?

Mr. BABIN. I don't know nothing about him. I never met the guy.

Mr. RUSSELL. Did you attend the Third Free World Congress Convention at the Hotel Pennsylvania in New York City in 1943 with Vavilov and Ouraevsky?

Mr. BABIN. No.

Mr. RUSSELL. Did you attend the Third Free World Congress Convention?

Mr. BABIN. No.

Mr. RUSSELL. You are Tom Babin?

Mr. BABIN. Yes.

Mr. RUSSELL. T-o-m B-a-b-i-n?

Mr. BABIN. Yes.

Mr. RUSSELL. You are positive?

Mr. BABIN. Yes.

Mr. RUSSELL. And the answers you have given are truthful answers?

Mr. BABIN. Yes.

Mr. RUSSELL. Mr. Babin, have you ever been a member of the American Committee for the Protection of Foreign Born?

Mr. BABIN. Member; as my organization was affiliated.

Mr. RUSSELL. Weren't you a member of the committee on resolutions?

Mr. BABIN. Never.

Mr. RUSSELL. You were not a member of the committee on resolutions?

Mr. BABIN. Never.

Mr. RUSSELL. Do you know Abner Green? He was secretary of the American Committee for the Protection of Foreign Born.

Mr. BABIN. I know him; yes.

Mr. RUSSELL. Didn't he appoint you a member of the committee on resolutions?

Mr. BABIN. Never.

Mr. RUSSELL. Did you attend a meeting of the American Committee for the Protection of Foreign Born at the Hotel Commodore in New York City in October 1943?

Mr. BABIN. No.

Mr. RUSSELL. Do you know Arthur Bartl, B-a-r-t-l?

Mr. BABIN. Yes; from Spain.

Mr. RUSSELL. Do you know Daisy Lolich?

Mr. BABIN. I know her, his wife.

Mr. RUSSELL. Do you know Konstantin Shabanov?

Mr. BABIN. No.

Mr. RUSSELL. You never contacted Mr. Shabanov?

Mr. BABIN. Never, I don't know who is that guy.

Mr. RUSSELL. Do you know whether or not he was the successor of Mr. Ouracvsky at the Soviet consulate in New York City?

Mr. BABIN. No.

Mr. RUSSELL. Do you know Bella Golden?

Mr. BABIN. No.

Mr. RUSSELL. You never contacted her in the offices of the Russian War Relief?

Mr. BABIN. I don't remember.

Mr. RUSSELL. Do you know Bella Golden?

Mr. BABIN. No.

Mr. RUSSELL. Have you ever been in the offices of the Russian War Relief in New York City at any time?

Mr. BABIN. During the campaign for Russian war relief I many times brought in money, but I don't know the woman, don't know nobody.

Mr. RUSSELL. Do you know Milton Wolff?

Mr. BABIN. I know him in Spain.

Mr. RUSSELL. Did you serve with Milton Wolff as a member of the Abraham Lincoln Brigade?

Mr. BABIN. Yes.

Mr. RUSSELL. Do you know Anton S. Ivancic?

Mr. BABIN. Captain Ivancic.

Mr. RUSSELL. Do you know him?

Mr. BABIN. Yes.

Mr. RUSSELL. Do you know Sally Goldwood?

Mr. BABIN. No.

Mr. RUSSELL. Do you know Sally Goldwood Radic?

Mr. BABIN. Yes, that is right.

Mr. RUSSELL. What was the nature of your association with Sally Goldwood Radic?

Mr. BABIN. I know Radic and know he is married to that girl. I never saw her before.

Mr. RUSSELL. Do you know Louis Adamic?

Mr. BABIN. I know Louis Adamic. I saw him.

Mr. RUSSELL. What was the nature of your association with Louis Adamic?

Mr. BABIN. There is no nature. I just saw him a few times, that is all.

Mr. RUSSELL. Where did you see him?

Mr. BABIN. I saw him in New York.

Mr. RUSSELL. In what place?

Mr. BABIN. At his hotel.

Mr. RUSSELL. His hotel?

Mr. BABIN. Yes.

Mr. RUSSELL. What hotel was that?

Mr. BABIN. I guess St. Regis.

Mr. RUSSELL. Do you know Avrom Landy, A-v-r-o-m L-a-n-d-y?

Mr. BABIN. I don't know the guy.

Mr. RUSSELL. He was formerly director of the foreign nationality groups of the Communist Party. You say you do not know him?

Mr. BABIN. No. I never saw the guy.

Mr. RUSSELL. Do you know Leon Krzycki, president of the American Slav Congress?

Mr. BABIN. I know him.

Mr. RUSSELL. How well do you know him?

Mr. BABIN. I met him during the war at Detroit at the American Slav Congress; not met him, but I know him; I saw him there.

Mr. RUSSELL. Did he ever request you to contact Avrom Landy?

Mr. BABIN. Never. I never talked to Mr. Krzycki.

Mr. RUSSELL. You never talked to Mr. Krzycki at all?

Mr. BABIN. No.

Mr. RUSSELL. In New York City?

Mr. BABIN. Never.

Mr. RUSSELL. Were you a member or an officer of the Americans of South Slavic Descent?

Mr. BABIN. No.

Mr. RUSSELL. You have never been associated with that organization?

Mr. BABIN. I have read the literature, but I never was a member of it.

Mr. RUSSELL. Did you help organize the war relief fund of the Americans of South Slavic Descent?

Mr. BABIN. I just donated money and worked for them.

Mr. RUSSELL. Did you play any part in the organization?

Mr. BABIN. Yes. During the relief drive I spoke at the meetings of the Relief for Yugoslavia, yes.

Mr. RUSSELL. Whom did you work with when the organization was formed?

Mr. BABIN. Mr. Louis Adamic and other guys.

Mr. RUSSELL. Do you know Zlatko Balokovic?

Mr. BABIN. Yes.

Mr. RUSSELL. How do you know him?

Mr. BABIN. I know him from the American Slav Congress and I know him before that. I met him at the concert a few times.

Mr. RUSSELL. You met him where?

Mr. BABIN. At the concert he gave as a violinist.

Mr. RUSSELL. Do you know George Buban?

Mr. BABIN. I saw him.

Mr. RUSSELL. Was he a vice president of the American Committee for Yugoslavian Relief?

Mr. BABIN. He was one of the board of directors, yes.

Mr. RUSSELL. Do you know Anne Traven?

Mr. BABIN. Yes. She was a secretary of the relief committee.

Mr. RUSSELL. Do you know Israel Amter?

Mr. BABIN. I saw him in a picture many times in the newspaper.

Mr. RUSSELL. Did you ever talk to him?

Mr. BABIN. No; I never talked to him.

Mr. RUSSELL. Do you know Robert Wood?

Mr. BABIN. Never saw him.

Mr. RUSSELL. You never met him?

Mr. BABIN. No.

Mr. RUSSELL. Do you know Stanley Pustek, P-u-s-t-e-k?

Mr. BABIN. I don't remember. I don't know.

Mr. RUSSELL. Do you know Robert Wood who was eastern organizer for the railroad committee of the Communist Party in 1945?

Mr. BABIN. No.

Mr. RUSSELL. You never met him?

Mr. BABIN. No.

Mr. RUSSELL. And you don't know Stanley Pustek?

Mr. BABIN. One Stanley I met in Spain. I don't know his exact name.

Mr. RUSSELL. He was New York port patrolman of the National Maritime Union. You say you met him in Spain?

Mr. BABIN. Yes.

Mr. RUSSELL. You never saw him in the United States?

Mr. BABIN. No.

Mr. RUSSELL. What did you discuss with him in Spain? Did he ever suggest to you that you should take part in the picket lines in connection with the maritime strike?

Mr. BABIN. Never. I met him as a friend in Spain, that is all.

Mr. RUSSELL. Do you know Harry Justiz?

Mr. BABIN. I know him.

Mr. RUSSELL. Is he known to you as a member of the Communist Party of the United States?

Mr. BABIN. I don't know. I know him as an officer of the Yugoslav-American Home.

Mr. RUSSELL. Did you ever discuss with Harry Justiz the problem of organizing Yugoslav seamen?

Mr. BABIN. No.

Mr. RUSSELL. Did you attend a meeting of the Yugoslav Seamen's Club at any time?

Mr. BABIN. I am president of the Yugoslav Seamen's Club.

Mr. RUSSELL. You are still president?

Mr. BABIN. Yes.

Mr. RUSSELL. Do you recall a meeting of the Yugoslav Seamen's Club held on April 5, 1947, at the Yugoslav-American Home?

Mr. BABIN. I don't remember. We have a meeting usually when the seamen are in port, and we have no exact date.

Mr. RUSSELL. Have you ever referred to Harry Justiz as "Comrade Justiz" in a speech which you made?

Mr. BABIN. No. I just know him as Justiz, that is all.

Mr. RUSSELL. Do you know George Pirinsky?

Mr. BABIN. I know him.

Mr. RUSSELL. How well do you know him?

Mr. BABIN. I saw him speaking at the American Slav Congress in Detroit.

Mr. RUSSELL. When was that?

Mr. BABIN. 1941.

Mr. RUSSELL. Did you ever arrange with him to furnish the names and addresses of persons living in South America?

Mr. BABIN. Never.

Mr. RUSSELL. You never did?

Mr. BABIN. Never, no. I don't know nothing about that.

Mr. RUSSELL. Do you know Capt. Albert Kamhi?

Mr. BABIN. No.

Mr. RUSSELL. You never heard of him?

Mr. BABIN. Never heard of him.

Mr. RUSSELL. Did you ever attend a Communist Party meeting with George Pirinsky?

Mr. BABIN. I never attended any meetings with George.

Mr. RUSSELL. Did you attend a meeting with George Pirinsky at the Hotel Lincoln on June 21, 1947?

Mr. BABIN. No. I never attended any meeting with George Pirinsky.

Mr. RUSSELL. Do you know General Ilic?

Mr. BABIN. I know him, yes, from Spain.

Mr. RUSSELL. How did you know him?

Mr. BABIN. I met him in Spain.

Mr. RUSSELL. Was he in the Abraham Lincoln Brigade?

Mr. BABIN. No. He was in another brigade. He was a member of the International Brigade.

Mr. RUSSELL. Did you ever supply him with the names of persons and organizations in South America?

Mr. BABIN. Never; never.

Mr. RUSSELL. Did you ever make a speech in which you introduced General Ilic to the audience?

Mr. BABIN. He spoke at the Yugoslav-American Home, but I did not introduce him.

Mr. RUSSELL. Didn't you introduce him as an old-time Communist who operated as a propagandist from Paris and Belgium "about 6 or 7 years ago"?

Mr. BABIN. No.

Mr. RUSSELL. You deny that?

Mr. BABIN. Yes.

Mr. RUSSELL. Do you know Anthony Gerlach?

Mr. BABIN. Yes.

Mr. RUSSELL. How well do you know him?

Mr. BABIN. He was living in New York. I know him since I came here.

Mr. RUSSELL. Do you know if he ever addressed a meeting of the American Association for the Reconstruction of Yugoslavia?

Mr. BABIN. No. I never attended a meeting of that sort.

Mr. RUSSELL. At this particular meeting he said, in speaking of the Americans of Yugoslav descent, that they should return to Yugoslavia. He said:

This is secret. We do not want Americans who are not our friends to know this for the Government would not permit it.

In the same speech he said you would be in charge of making all arrangements for the shipment of equipment and transportation of workers to Yugoslavia. Do you deny that?

Mr. BABIN. Absolutely.



Mr. RUSSELL. Do you know Sam Madell?

Mr. BABIN. Sam Madell?

Mr. RUSSELL. Yes.

Mr. BABIN. I don't know. I can't remember all these names. Maybe I know; maybe I don't.

Mr. RUSSELL. Do you know George Watt?

Mr. BABIN. George Watt, I know him from Spain.

Mr. RUSSELL. You know him as a member of the trade-union department of the Communist Party?

Mr. BABIN. I met him in Spain.

Mr. RUSSELL. Do you know whether he is a member of the Communist Party?

Mr. BABIN. I don't know.

Mr. RUSSELL. He never told you he was a member of the Communist Party?

Mr. BABIN. Never.

Mr. RUSSELL. Do you know Joseph Zavertnik?

Mr. BABIN. Yes.

Mr. RUSSELL. How do you know him?

Mr. BABIN. I know him during the relief campaign, Yugoslavian relief, and I know him as vice president of the [Yugoslav] American Home Corp.

Mr. RUSSELL. Did you ever attend a meeting of the Union of Yugoslav Americans?

Mr. BABIN. Well, during that time I don't know. Maybe I attended or not.

Mr. RUSSELL. Did you attend one on November 30, 1947, or sometime during the latter part of 1947?

Mr. BABIN. I don't remember that.

Mr. RUSSELL. It was in celebration of the second anniversary of the Tito government.

Mr. BABIN. I don't remember that.

Mr. RUSSELL. You don't remember?

Mr. BABIN. No.

Mr. RUSSELL. Did you make a speech at any time before the Union of Yugoslav Americans?

Mr. BABIN. Only for relief.

Mr. RUSSELL. On November 30, 1947, according to our information, you made a speech in which you accused the United States of working with all its strength to destroy the workers of New Yugoslavia, and you said:

We have to be aware of this fact and we have to make an effort that the working class will reach its goal.

Mr. BABIN. I never said that.

Mr. RUSSELL. You deny that?

Mr. BABIN. I never said that.

Mr. RUSSELL. Do you know Steve Nelson?

Mr. BABIN. No.

Mr. RUSSELL. You never met him?

Mr. BABIN. I met him in Spain.

Mr. RUSSELL. You said you didn't know him, and now you say you do know him?

Mr. BABIN. I met him in Spain.

Mr. RUSSELL. You never saw him in the United States?

Mr. BABIN. No.

Mr. RUSSELL. You never made arrangements with him to pay a joint hotel bill at the Lincoln Hotel?

Mr. BABIN. No.

Mr. RUSSELL. You are positive of that?

Mr. BABIN. Yes.

Mr. RUSSELL. Did you ever meet him in the United States by another name than Steve Nelson?

Mr. BABIN. I don't know.

Mr. RUSSELL. Did you ever know him as Steve Mesarosh?

Mr. BABIN. No, never.

Mr. RUSSELL. Did you serve under him as a member of the Abraham Lincoln Brigade?

Mr. BABIN. No.

Mr. RUSSELL. He was a member of the Abraham Lincoln Brigade?

Mr. BABIN. I at that time was a member of the Balkan Battalion of International Brigades. I was about 3 months a member of the Abraham Lincoln Brigade.

Mr. RUSSELL. Did you meet Steve Nelson in California in 1944 and 1945?

Mr. BABIN. No.

Mr. RUSSELL. Were you ever in California?

Mr. BABIN. I was in California off and on.

Mr. RUSSELL. What was the purpose of your visits?

Mr. BABIN. Relief.

Mr. RUSSELL. You were collecting money?

Mr. BABIN. Collecting money for Yugoslavian relief.

Mr. RUSSELL. Where?

Mr. BABIN. Los Angeles, San Pedro, Watsonville, Oakland, Seattle, and other places.

Mr. RUSSELL. Did you collect any money from Louise Bransten in California?

Mr. BABIN. I don't know. I was speaking at meetings for Yugoslavian relief.

Mr. RUSSELL. Were there any large contributors?

Mr. BABIN. I didn't get the money. The committee arranged the meeting, collected the money, and sent it to New York.

Mr. RUSSELL. Did you have any instructions to contact any particular person in California?

Mr. BABIN. No. I only contacted persons like Mr. Budanovich at San Pedro, the Spiveloz brothers, Nick Bez, and those guys.

Mr. RUSSELL. Nick who?

Mr. BABIN. Nick Bez.

Mr. RUSSELL. B-e-z?

Mr. BABIN. Yes.

Mr. RUSSELL. Did you ever discuss the problem of Communist organization among Yugoslav seamen with Steve Nelson and Harry Justiz?

Mr. BABIN. Never.

Mr. RUSSELL. Didn't you discuss the problem of Communist organization among Yugoslav seamen with Steve Nelson and Harry Justiz in November 1945?

Mr. BABIN. Never. Nobody attended those meetings but Yugoslav seamen.

Mr. RUSSELL. Did you ever meet with Steve Nelson and Harry Justiz at the Yugoslav Seamen's Club?

Mr. BABIN. No.

Mr. RUSSELL. Did you ever meet with Harry Justiz?

Mr. BABIN. Harry Justiz I met two or three times a week.

Mr. RUSSELL. Steve Nelson was not there?

Mr. BABIN. Steve Nelson was not there.

Mr. RUSSELL. Didn't you meet with Steve Nelson and Harry Justiz on January 11, 1946, at a meeting of the Yugoslav Seamen's Club?

Mr. BABIN. No. Nobody attended our meetings, as far as I know, but Yugoslav seamen.

Mr. RUSSELL. Didn't Steve Nelson request you on one occasion to obtain a translation of the constitution and speech of Georgi Dimitrov?

Mr. BABIN. Never.

Mr. RUSSELL. Did you ever meet Steve Nelson in the company of George Pirinsky?

Mr. BABIN. No; never.

Mr. RUSSELL. Do you know Leo Fisher?

Mr. BABIN. I know him.

Mr. RUSSELL. How do you know him?

Mr. BABIN. I was speaking in New York during the war. I spoke at Pittsburgh for the relief committee.

Mr. RUSSELL. Yugoslavian Relief Committee?

Mr. BABIN. Yes. I was in every city in the United States.

Mr. RUSSELL. Did you ever discuss Communist Party organization with Leo Fisher?

Mr. BABIN. Never.

Mr. RUSSELL. Did you ever meet with him in New York City?

Mr. BABIN. I met him during the relief campaign.

Mr. RUSSELL. Do you know Matthew Cvetic?

Mr. BABIN. I don't know that name.

Mr. RUSSELL. Do you know Leo Bacich?

Mr. BABIN. I know him.

Mr. RUSSELL. How do you know him?

Mr. BABIN. As secretary of an organization I belong to.

Mr. RUSSELL. Did you ever discuss Communist Party organization with him?

Mr. BABIN. No.

Mr. RUSSELL. Do you know Peter Vukceвич?

Mr. BABIN. I know him.

Mr. RUSSELL. How do you know him?

Mr. BABIN. He is a member of Yugoslav-American Home, and was secretary for the relief during the war.

Mr. RUSSELL. Did you ever attend a meeting at the Hotel Lincoln with any of the following persons: Peter Vukceвич, Leo Babich, Harry Justiz, George Pirinsky, Anthony Gerlach, Leo Fisher, Matthew Cvetic, Daisy Lolich, and certain other individuals?

Mr. BABIN. Never. I never attend such a meeting.

Mr. RUSSELL. You never attended a meeting at the Hotel Lincoln on June 21, 1947?

Mr. BABIN. Never.

Mr. RUSSELL. The meeting was held in room 308 and the room was reserved in your name.

Mr. BABIN. I never attended the meeting.

Mr. RUSSELL. Did you ever make a reservation at the Hotel Lincoln?

Mr. BABIN. Never.

Mr. RUSSELL. You deny that affirmatively?

Mr. BABIN. Sure I do for the meeting. What kind of meeting?

Mr. RUSSELL. Did you register at the Hotel Lincoln?

Mr. BABIN. I registered what?

Mr. RUSSELL. Did you register as a guest at the Hotel Lincoln for room 308?

Mr. BABIN. I don't remember. I know nothing about that meeting.

Mr. WALTER. What was that answer?

(The answer was read by the reporter.)

Mr. WOOD. The question asked was, Did you register as a guest at Hotel Lincoln?

Mr. BABIN. Never.

Mr. WOOD. And they assigned you a room?

Mr. BABIN. Never.

Mr. CASE. Of course the witness has said "never," but I wonder if there shouldn't be some suggestion of the year or time.

Mr. RUSSELL. The meeting was held June 21, 1947.

Mr. WOOD. At any time on or around June 21, 1947, did you register at the Lincoln Hotel for a room?

Mr. BABIN. No. I don't remember the date or anything like that.

Mr. CASE. In what city is the Lincoln Hotel?

Mr. RUSSELL. New York City.

Mr. WOOD. The question is: Did you register for a room at that time?

Mr. BABIN. No. Why should I register for a room? I never was there.

Mr. WOOD. You never were there?

Mr. BABIN. No.

Mr. WOOD. You never did go to that hotel and sign your name as a guest?

Mr. BABIN. No.

Mr. WOOD. You never have?

Mr. BABIN. Never.

Mr. CASE. Where were you in June 1947?

Mr. BABIN. I don't know. I was in New York or somewhere else. I don't remember.

Mr. CASE. Did you ever stop at the Hotel Lincoln?

Mr. BABIN. No. I never was there. I passed by the Hotel Lincoln a hundred times but I never registered here, never.

Mr. CASE. You never stopped there?

Mr. BABIN. Never.

Mr. CASE. You never took a room there, even for part of a day?

Mr. BABIN. Never. I never was there, never.

Mr. RUSSELL. In other words, you have never made a reservation for a room at the Hotel Lincoln for anyone?

Mr. BABIN. Never.

Mr. RUSSELL. You have never made a reservation for a room at the Hotel Lincoln under your own name at any time?

Mr. BABIN. No, never.

Mr. RUSSELL. Did you ever authorize anyone to make a room reservation for you at the Hotel Lincoln?

Mr. BABIN. Never.

Mr. RUSSELL. You deny that you made one for a meeting which was to take place in room 308 at Hotel Lincoln on June 21, 1947?

Mr. BABIN. That, to me, is absolutely—I don't know what to say about it. I never was there, never attended no meeting and never was registered there.

Mr. RUSSELL. Did you ever attend a meeting at the Hotel Lincoln which was addressed by Dr. Slavko Zore?

Mr. BABIN. Never.

Mr. RUSSELL. Have you ever requested information regarding the production of war materials manufactured in factories in Pittsburgh?

Mr. BABIN. That is a big joke too.

Mr. RUSSELL. What is the answer?

Mr. BABIN. Never. What do you mean? It is a question that is simply—I would not even talk about such a question.

Mr. RUSSELL. What is your answer to the question?

Mr. BABIN. Never; never; not to nobody, nothing.

Mr. RUSSELL. In other words, the answer is "No"?

Mr. BABIN. No; definitely.

Mr. RUSSELL. Mr. Chairman, I suggest the witness be excused for about 10 minutes while the committee goes into executive session.

Mr. WOOD. Very well. Will you remain outside until called, please?

Mr. FORER. We will be in the hall.

Mr. TAVENNER. Mr. Attorney, you can bring your client in this room (indicating room next to hearing room) where you will have a seat.

Mr. FORER. That is much better, thank you.

(Thereupon, the witness and his counsel left the hearing room and the committee went into executive session, which executive session was not reported. At 12:40 p. m. an adjournment was taken until Wednesday, June 8, 1949, at 10:30 a. m.)



## HEARINGS REGARDING TOMA BABIN

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WEDNESDAY, JULY 6, 1949

UNITED STATES HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE OF THE COMMITTEE ON  
UN-AMERICAN ACTIVITIES,  
*Washington, D. C.*

A subcommittee of the Committee on Un-American Activities met pursuant to call at 10:30 a. m., in room 226, Old House Office Building, Hon. John S. Wood (chairman) presiding.

Subcommittee members present: Representatives John S. Wood (chairman), Francis E. Walter, Francis Case, and Harold H. Velde.

Staff members present: Frank S. Tavenner, Jr., counsel; Louis J. Russell, senior investigator; Charles E. McKillips, investigator; and A. S. Poore, editor.

Mr. WOOD. Let the record show that the chairman has appointed a subcommittee consisting of Mr. Walter, Mr. Case, Mr. Velde, and Mr. Wood, and that they are all present.

Mr. TAVENNER. Mr. Chairman, on May 27, 1949, the committee heard in executive session one Toma Babin, who was formerly an accredited official of the Yugoslav Government in the United States and attached to the Yugoslav consulate in New York City. Mr. Babin at present is the subject of deportation proceedings inaugurated by the Immigration and Naturalization Service of the Department of Justice. These proceedings were initiated shortly after Mr. Babin's appearance before the committee.

At the time Mr. Babin appeared before the committee, he was questioned regarding his Communist associations and participation during his stay in the United States, starting with his illegal entry in 1926. Mr. Babin was questioned particularly regarding a meeting held in the Hotel Lincoln at Forty-fourth and Forty-fifth Streets and Eighth Avenue in New York City on June 21, 1947, which was attended by Steve Nelson, who has been before this committee on numerous occasions, and certain other persons who have been the subjects of investigation by this committee.

According to a report which the committee received regarding this meeting, its purpose was to discuss the American Slav Congress and the Croatian Fraternal Union, both of which organizations were the subject of quite a bit of material in a recent report issued by the committee entitled "Report on the American Slav Congress."

When Mr. Babin was questioned regarding the meeting in the Hotel Lincoln, he denied he had ever attended a meeting in the Hotel Lincoln, and when questioned further he denied he had ever registered at the Hotel Lincoln or given anybody permission to register in his name at the Hotel Lincoln.

Subsequent to his interrogation, the staff of this committee has been able to obtain a Hotel Lincoln registration card made out in the name of T. Babin for room 308 at the rate of \$10 per day. After receipt of the registration card, certain known specimens of the handwriting of Toma Babin obtained from the Immigration and Naturalization Service were submitted to the Veterans' Administration, along with the registration card of the Hotel Lincoln, for handwriting comparisons.

I would like at this time to introduce in evidence the Hotel Lincoln registration card and have it marked Exhibit Q-1.

Mr. WOOD. So ordered.

(The card above referred to, marked "Exhibit Q-1," is included at the end of this hearing.)

Mr. TAVENNER. I also desire to offer in evidence certain alleged specimens of the known handwriting of Toma Babin, marked Exhibits K-1, K-2, K-3, and K-4, respectively.

Mr. WOOD. So ordered.

(The documents above referred to, marked "Exhibit K-1," "Exhibit K-2," "Exhibit K-3," and "Exhibit K-4," are included at the end of this hearing.)

Mr. TAVENNER. Mr. McKillips.

Mr. WOOD. You solemnly swear the testimony you will give the subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MCKILLIPS. I do.

#### SWORN TESTIMONY OF CHARLES MCKILLIPS

Mr. TAVENNER. What is your name?

Mr. MCKILLIPS. Charles McKillips.

Mr. TAVENNER. What is your present occupation?

Mr. MCKILLIPS. Investigator for the Un-American Activities Committee.

Mr. TAVENNER. How long have you been an investigator for this committee?

Mr. MCKILLIPS. Approximately 1 year.

Mr. TAVENNER. Mr. McKillips, will you examine exhibits Q-1 and K-1, K-2, K-3, and K-4 and state where you obtained them, if you did so?

Mr. MCKILLIPS. I obtained these from the Immigration and Naturalization Service at Nineteenth Street and East Capitol Street NE. [Washington, D. C.]. Miss Snyder gave me Mr. Babin's file. I picked out five or six pages which contained the better specimens of his handwriting, and I asked her to have them photographed, which she did in about 2 days and sent them to this office, and I then took them to the Veterans' Administration office and had them examined.

Mr. TAVENNER. Will you state whether or not you obtained, for use by this committee, the original Hotel Lincoln registration card.

Mr. MCKILLIPS. Yes. I went to New York and got the original registration card from the assistant manager of the Lincoln Hotel.

Mr. TAVENNER. That is all.

Mr. WOOD. Any questions?

(No response.)

(Witness excused.)



Mr. TAVENNER. I now desire to call Mr. Fry as a witness.

Mr. WOOD. Mr. Fry, do you solemnly swear the evidence you will give this subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FRY. Yes; I do.

Mr. WOOD. Have a seat.

### SWORN TESTIMONY OF ARTHUR W. FRY

Mr. TAVENNER. Will you state your name?

Mr. FRY. Arthur W. Fry.

Mr. TAVENNER. Where do you live?

Mr. FRY. Silver Spring, Md.

Mr. TAVENNER. Where are you employed?

Mr. FRY. In the Veterans' Administration central office, Washington, D. C.

Mr. TAVENNER. What is your title and what are your duties in the United States Veterans' Administration?

Mr. FRY. My title is Assistant Chief of the Identification and Detection Division. My duties are to examine documents in which the Veterans' Administration is interested when a question arises as to the genuineness of a document or the identity of any of its parts. This involves the examination of handwritten, typewritten, and printed documents, inks, and questioned documents of various kinds.

Mr. TAVENNER. What preparation have you made in connection with your profession?

Mr. FRY. I have read and studied various books dealing with questioned documents, and while employed at the First National Bank for 15 years I had special experience in questioned document work. I have been trained and qualified by several questioned document examiners, and while engaged in the Protective Research Section at the White House I worked with other qualified examiners, and it was my duty to examine questioned documents of the President of the United States and render opinions on same.

Mr. TAVENNER. You said you were employed 15 years by the First National Bank. Will you indicate which First National Bank that was?

Mr. FRY. The First National Bank at Spokane, Wash.

Mr. TAVENNER. How long have you been employed in the Division of Questioned Documents in the Veterans' Administration?

Mr. FRY. For approximately 3 years.

Mr. TAVENNER. Will you relate your positions previous to becoming employed by the Veterans' Administration?

Mr. FRY. After finishing school I was employed by the First National Bank at Spokane for approximately 15 years. I entered the Federal service in May 1941 as an agent for the United States Secret Service, and was later transferred to the Protective Research Section at the White House.

Mr. TAVENNER. How long have you been engaged in this work?

Mr. FRY. Approximately 20 years.

Mr. TAVENNER. How much of your time is spent in this work?

Mr. FRY. All of my time.

Mr. TAVENNER. Have you rendered conclusions on questioned document problems?

Mr. FRY. Yes, I have, in more than 8,000 cases, which involved many more times that number of documents.

Mr. TAVENNER. Did you assist in the examination of the questioned document in this matter?

Mr. FRY. Yes, I did. I conducted a separate and distinct examination of my own with respect to these documents which have just been entered in evidence, exhibits Q-1 and K-1 through K-4.

Mr. TAVENNER. I hand you an office memorandum signed by H. J. E. Gesell, Chief, Identification and Detection Division, directed to the Director, Inspection-Investigation Service, bearing date June 10, 1949, and I will ask you whether you participated in the preparation of that report on this questioned document?

Mr. FRY. Yes, I did.

Mr. TAVENNER. Will you read it to the committee?

Mr. FRY. This is a memorandum dated June 10, 1949, addressed to the Director, Inspection-Investigation Service, from the Chief, Identification and Detection Division. Subject: Comparison of handwriting re T. Babin.

Mr. TAVENNER. Will you read it?

Mr. FRY (reading):

1. On this date, Mr. C. E. McKillips, investigator for the Un-American Activities Committee, personally and informally submitted a hotel registration card on the Hotel Lincoln, New York City, F 19863, bearing name and address "T. Babin, 219 W. 19 St. N. Y. C.," also bearing firm's name—Shipping office. (Spelled with one "f".) There, also, was submitted photographic copies of purported known signatures and writing of Thomas<sup>2</sup> Babin appearing on exhibits identified as K-1, K-2, K-3, K-4, and K-5. K-5 contains the purported known signature of Tomas Babin appearing on letter dated May 27, 1949.

2. It was requested that the purported known signatures of Toma Babin, K-1 through K-5, be examined and compared with the questioned signature and writing appearing on the Hotel Lincoln registration card identified as Q-1 to determine authorship.

3. The signatures and writings afore-mentioned were carefully examined and compared and such a study has resulted in the conclusion that the person who wrote the names "Thomas Babin" and other writings appearing on exhibits K-1 K-2, K-3, K-4, and K-5 also is responsible for the pen-and-ink writing "T. Babin," 219 W. 19 St. N. Y. C.—Shipping office (spelled with one "f"), appearing on the Hotel Lincoln registration card of New York City bearing No. F 19863, also identified as Q-1.

4. In the event testimony is desired concerning the conclusion reached in this report, it will be necessary to return exhibits K-1, K-2, K-3, K-4, and K-5 for the preparation of photographic exhibits at least a week or 10 days before trial or hearing date.

H. J. E. GESELL.

Mr. TAVENNER. Do you unite in the conclusions expressed in that report?

Mr. FRY. I do concur in the opinion given in this memorandum.

Mr. TAVENNER. Are you of the opinion, and did you arrive at the independent conclusion, that the person who signed the questioned document, exhibit Q-1, was the same person who signed the documents K-1 through K-5, inclusive?

Mr. FRY. Yes, sir. I made an independent examination and came to that conclusion.

(Mr. McSweeney, member of the full committee, enters.)

Mr. TAVENNER. That is all.

Mr. WOOD. Any questions?

<sup>2</sup> The name spelled variously Thomas, Tomas, Toma, Toim, T. Babin all the subject of hearing and the same person.

Mr. CASE. I have a question.

Mr. WOOD. Mr. Case.

Mr. CASE. Mr. Fry, you were present and seated at the table where you are now seated when the documents were first presented in evidence this morning?

Mr. FRY. Yes, sir.

Mr. CASE. And you saw them presented in evidence?

Mr. FRY. Yes; just across the table, and I noticed K-5 was omitted in that group.

Mr. TAVENNER. I had proposed to introduce that later, but for the purpose of your identification of that letter I now hand you a letter dated May 27, 1949, directed to Mr. Frank Tavenner, over the signature of Toma Babin. Is that the document K-5 to which you have referred?

Mr. FRY. Yes, sir; it is.

Mr. TAVENNER. Will you examine the documents introduced in evidence as exhibits Q-1 and K-1 through K-4, inclusive, and state whether or not they are the documents to which you referred?

Mr. FRY (after examining said documents). Yes, sir, they are.

Mr. WOOD. Let's see K-5.

(Exhibit K-5 was handed to Mr. Wood.)

Mr. WOOD. Any further questions, Mr. Case?

Mr. CASE. No.

Mr. TAVENNER. Mr. Chairman, I would like at this time to insert in the record this letter, K-5, dated May 27, 1949, addressed to me as counsel of the committee, signed by Toma Babin. You will recall at the time Mr. Babin was questioned he testified that he met Steve Nelson in Spain, but stated that he had not seen him since his return from Spain to the United States. In this letter Mr. Babin states that he did see Steve Nelson several times in the United States, and states that he made an inadvertent error in the testimony which he gave before the committee regarding Steve Nelson and it is his desire that this be incorporated in the record. Therefore, I offer it in evidence, and, inasmuch as it was used as an exhibit with regard to the handwriting, ask that it be marked Exhibit "K-5."

Mr. WOOD. It will be admitted.

(The letter above referred to, marked "Exhibit K-5", is hereinafter incorporated in the record.)

Mr. TAVENNER. And I think I should read it into the record:

WASHINGTON, D. C., May 27, 1949.

MR. FRANK TAVENNER,

*Counsel, House Committee on Un-American Activities,  
House Office Building, Washington, D. C.*

DEAR MR. TAVENNER: I wish to correct an inadvertent error in the testimony I gave earlier today before the committee. I tried to make this correction before the committee, but they adjourned after what they had announced as a 10-minute recess. I did tell Mr. Russell and Mr. Appell about it, and they told me that the members of the committee had gone to the floor of the House.

The correction regards my acquaintance with Steve Nelson. As I testified before the committee, I first met Nelson in Spain. However, I have also met him several times in the United States since my return from Spain. I do not recall the times or occasions except that several times it was at reunions of the Abraham Lincoln Brigade, and once at the restaurant in the Yugoslav-American Home. I do not recall the substance of our conversations, which were brief and consisted of small talk.

Please put this correction in the record of the hearing. Since I am still under the committee's subpoena, naturally, if the committee thinks the correction is of consequence it can be made before it.

Yours truly,

TOMA BABIN.

Mr. TAVENNER. Mr. Chairman, in view of the fact that Babin's testimony regarding the Hotel Lincoln registration furnishes the basis for investigation of a charge of perjury before this committee, I suggest that this committee, in executive session, consider that matter and consider whether it wishes to refer this matter to the Department of Justice for investigation and appropriate action, but I would suggest that you defer going into executive session until the close of this hearing.

Mr. WALTER. May I ask a question of this witness?

Mr. WOOD. Mr. Walter.

Mr. WALTER. Are you positive that the signature on the letter just read is the signature of the person who signed the register in New York City?

Mr. FRY. I am positive in my opinion, sir. The signature on the letter K-5 was given to me as a known signature of Mr. Babin. In other words, that is not a questioned document as far as I am concerned. That does contain what is purported to be a known signature.

Mr. WALTER. You are positive that the same person who signed that letter signed the register in New York?

Mr. FRY. Yes, sir, I am positive in my opinion in that respect.

Mr. WALTER. That is all.

Mr. WOOD. Any further questions, gentlemen?

(No response.)

Mr. WOOD. You may be excused.

Mr. FRY. Thank you.

(Witness excused.)

Whereupon the proceedings continued, but on another subject. The testimony of the witnesses that followed will be found in a separate document under same date.



EXHIBIT Q-1

HOTEL LINCOLN

44th to 45th Sts. and 8th Ave.  
NEW YORK CITY

BOOK NO. 19863

NAME

*T. Babin*

Tear Name-Written Plainly Issues Prompt Mail and Telephone Service

STREET

*219 W 19 St 47 E*

CITY

FIRM'S NAME

*Fury Shipping Office*

*BABIN*

NOTICE TO GUESTS: This hotel is not responsible for loss of  
articles, jewelry or other valuables, unless deposited in vaults  
here provided for that purpose in the Office.

*Miss Key Babin*

ROOM NO.	RATE	CLERK	BOY NO.	ACCOUNT NO.	ARRIVED	DEPARTED
<i>358</i>	<i>12.00</i>					<i>OKI</i>

EXHIBIT K-1

Thomas Babin  
(Signature)

ious economic detriment to my citizen or legally

Thomas Babin  
(Signature of applicant)  
ary public or an officer of the Immigration and Naturali-

do swear (affirm) that I know the contents of  
ledge.

Thomas Babin  
(Complete and true signature of applicant)  
applicant at New York, N.Y.  
Anno Domini 1941

[Signature]  
GEORGE J. [unclear]  
[unclear]

Thomas Babin  
(Signature of applicant)

s 14  
day of April  
1941  
(Date)

edings, must execute any file Form I-55 with this form  
tion and Naturalization Service, either in person or  
100-10-6000-1

complete to the best of my knowledge and belief.

Thomas Babin  
AFFIDAVIT FOR PARENT OR GU

W 2

EXHIBIT K-2

Form AE-41

OCT 9 - 1941

**ADDRESS REPORT CARD—ALIEN REGISTRATION**

(This card may be used for both types of reports mentioned on the face of this card)

REGISTRATION No. 5067368  
(COPY FROM REGISTRATION RECEIPT)

Name (print or type) Tomas Babini

My last address was 571 W. 145th St. S.W.  
(STREET ADDRESS OR RURAL ROUTE)

(POST OFFICE) STATE

My present address is 759 W. 20th St. S.W.  
(STREET ADDRESS OR RURAL ROUTE)

(POST OFFICE) STATE

Date Sept 16 - 41 Signature Tomas Babini

19-16437 GPO

K 2

EXHIBIT K-3

**ADDRESS REQUIRED CARD—ALIEN REGISTRATION**  
(This card may be used for both types of reports mentioned on the back of this card)

Name (print or type) \_\_\_\_\_ REGISTRATION No. \_\_\_\_\_

My last address was 400 W 20th Street N.Y.C CITY \_\_\_\_\_ STATE \_\_\_\_\_

My present address is \_\_\_\_\_ STREET ADDRESS OR RURAL ROUTE \_\_\_\_\_ CITY \_\_\_\_\_ STATE \_\_\_\_\_

I work for JAKA Co, Pier 1, Hookton N.J CITY \_\_\_\_\_ STATE \_\_\_\_\_

Whose address is Mike Babin CITY \_\_\_\_\_ STATE \_\_\_\_\_

Date \_\_\_\_\_ STREET ADDRESS \_\_\_\_\_ COUNTY \_\_\_\_\_ STATE \_\_\_\_\_

Signature Thomas Usabin K 3



## EXHIBIT K-4

Form AR-11 Form 3-7-41 N.H.  
**ADDRESS REPORT CARD—ALIEN REGISTRATION** CARD PUNCHED  
 (This card may be used for both types of reports mentioned on the face of this card)

REGISTRATION No. 5067568  
(COPY FROM REGISTRATION RECEIPT)

Name (print or type) THOMAS BABIN

My last address was 288 St Nicholas Ave.  
STREET ADDRESS OR RURAL ROUTE  
New York City N Y  
CITY AND COUNTY STATE

My present address is 541 W 124 St.  
STREET ADDRESS OR RURAL ROUTE  
New York City N Y  
CITY AND COUNTY STATE

Date 17 Feb. 1941 Signature Babin

**K 2**

X





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